

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

FILED
DISTRICT COURT OF GUAM
OCT 10 2006

HON. JOHN C. COUGHENOUR, U. S. DISTRICT JUDGE

Deputy Clerk: Julie Mahnke

MARY L.M. MORAN
CLERK OF COURT

Court Reporter: Wanda Miles Date 10/10/06

SENTENCING MINUTES 11:05 - 11:46:26

CASE NO. CR05-53 U. S. v. Brian William Elm

U.S. Atty: Johnson Deft. Atty: Van De Veld

USPO M. Cruz Intrp. _____

Guideline range determined by the court: Total Offense Level 26
Criminal History Category 4 Imprisonment range: 92-115 months
Supervised release range _____ Fine range: _____

SENTENCE IMPOSED: ☒ IMPRISONMENT FOR A TERM OF 84 months to run concurrent
with CR-05-00021.
☒ SUPERVISED RELEASE ☐ PROBATION FOR A TERM OF 4 years

CONDITIONS OF SUPERVISION/PROBATION:

- ☒ Standard conditions and those set forth in the PSI.
☐ Substance abuse conditions ☐ Mental health conditions
☐ Financial Conditions ☐ No re-entry into U.S. without permission.
☒ Fine waived ☐ Fine in the amount of _____
☐ Restitution in the sum of _____
☒ Necessary Penalty Assessment for each count must be paid.
☐ Cost of incarceration ☐ to be paid ☐ waived.

The Court departs from the guidelines for the following reasons:
those set forth in the PSI.

- ☐ Deft. is permitted to self-report. ☒ Deft. remains in custody.
☐ Deft. is remanded to the custody of the U. S. Marshal.
☐ Motion to dismiss remaining counts is granted.
☒ Court recommends incarceration at Compo C
☒ Defendant advised of right to appeal.

OTHER:

Defendant's Sentence of 84 months to run concurrent with CR-05-00021.